

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

A.E.S.E., a minor child, and EUSEBIO DANIEL
SABILLON PAZ, her father,

Plaintiffs,

No. 2:21-cv-00569-SMV-GBW

v.

THE UNITED STATES OF AMERICA and
MANAGEMENT & TRAINING CORPORATION,

Defendants.

**UNITED STATES OF AMERICA’S
MOTION TO EXTEND TIME TO ANSWER OR RESPOND TO PLAINTIFF’S
COMPLAINT FOR FOURTEEN (14) DAYS**

Defendant United States of America, through its undersigned counsel of record, hereby requests an extension of fourteen days to answer or otherwise respond to Plaintiff’s Complaint.

(Doc. 1.) In support of this motion, Defendant United States of America states as follows:

1. Plaintiff A.E.S.E., a minor, along with Plaintiff Eusebio Daniel Sabillon Paz, her father, brought this action pursuant to the Federal Tort Claims Act (“FTCA”) against Defendant United States of America, alleging that both suffered harm and injuries as a result of, among other things, being separated from her father at the United States border and alleged abuses that followed. *Id.* Plaintiff Paz also alleges tort claims against Defendant Management & Training Corporation. *Id.*

2. Defendant Management & Training Corporation filed their Answer to Plaintiffs’ Complaint on August 6, 2021. (Doc. 6.)

3. On September 15, 2021, the Court issued its Order Staying Case (Doc. 16) ordering a stay of this matter until November 9, 2021, to allow the parties to pursue settlement

opportunities in accordance with the parties' Stipulated Motion to Hold Action in Abeyance for Sixty (60) Days. Doc. 11.

4. On November 9, 2021, the Court issued its Order granting the parties' Second Stipulated Motion to Hold Action in Abeyance for Thirty (30) Days. Doc. 19.

5. On December 9, 2021, the Court issued its Order granting the parties' Third Stipulated Motion to Hold Action in Abeyance for Thirty (30) Days, which resulted in the expiration of the stay on January 8, 2022. Doc. 21.

6. In the intervening period, the global settlement negotiation did not reach a resolution.

7. Due an ongoing family emergency that has arisen for counsel for the United States, the United States respectfully requests an extension of time to file its answer or other response to Plaintiffs' Complaint until January 24, 2022.

8. As required by D.N.M. LR-Civ. 7.1(a), counsel for the United States conferred in good faith with Plaintiffs' counsel and counsel for Defendant Management & Training Corporation prior to filing the motion. Plaintiff **does not oppose** the extension requested by this motion. Defendant Management & Training Corporation was contacted via email regarding its position on the motion and no response was received by the close of business.

Respectfully submitted,

FRED J. FEDERICI
United States Attorney

/s/ Kimberly Bell 1/10/22

KIMBERLY BEL

Assistant United States Attorney

P.O. Box 607

Albuquerque, New Mexico 87103

(505) 224-1532

Fax: (505) 346-7205

Kimberly.Bell@usdoj.gov

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2022, I filed the foregoing pleading electronically through the CM/ECF system which caused all parties or counsel of record to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Kimberly N. Bell 1/10/2022

KIMBERLY N. BELL

Assistant United States Attorney